

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOY TABERNACLE - THE NEW
TESTAMENT CHURCH,

Plaintiff,

v

STATE FARM FIRE AND CASUALTY
COMPANY,

Defendant.

USDC Case No. 2:13-cv-11650
Hon.

GCCC Case No. 13-100098-CK
Hon. Judith A. Fullerton

JO ROBIN DAVIS (P31263)
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CARY R. BERLIN (P64122)
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Attorneys for Defendant
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STATE FARM'S NOTICE OF REMOVAL

The Defendant, State Farm Fire and Casualty Company ("State Farm"), through its attorneys, Patrick, Johnson & Mott, P.C., removes the above action from the Genesee County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446, based upon the following grounds:

1. The above action was filed in the Circuit Court for the County of Genesee, State of Michigan [Docket No. 13-100098-CK] and is now pending in that court. Process, including a summons and complaint, was served upon State Farm on March 29, 2013, and copies of all process and pleadings served upon State Farm are attached as **Exhibit "A."**

2. State Farm is now, and was at the time of the commencement of this action, a corporation organized and existing under the laws of the State of Illinois, having its principal place

of business located in the City of Bloomington, State of Illinois. State Farm is, therefore, a resident of the State of Illinois and is not a citizen or corporation of the State of Michigan.

3. The Plaintiff is now, and was at the time of the commencement of this action, a corporation organized and existing under the laws of the State of Michigan, having its principal place of business located in the City of Flint, State of Michigan. Plaintiff is, therefore, a resident of the State of Michigan and is not a citizen or corporation of the State of Illinois (Corporate filings with the State of Michigan, **Exhibit “B”**).

4. A controversy exists between State Farm and the Plaintiff, and the amount of controversy in this action is no less than the sum of \$79,238.39, exclusive of interest and costs, as evidenced by State Farm’s estimate to repair the building that is the subject matter of this litigation (Estimate, **Exhibit “C”**).

5. This Court has original jurisdiction of the action due to the amount in controversy and diversity of citizenship, pursuant to 28 U.S.C. § 1332.

6. State Farm is entitled to remove the above action from Genesee County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446(a).

Respectfully submitted,

PATRICK, JOHNSON & MOTT, P.C.

s/ Cary R. Berlin
Attorneys for Defendant State Farm, Only
27777 Franklin Road, Suite 1400
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Date: April 12, 2013

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PROOF OF SERVICE

The undersigned certifies that on **April 12, 2013**, my legal assistant Laura Martinico served copies of **State Farm's Notice of Removal and Proof of Service** upon:

Jo Robin Davis, Esq
30300 Northwestern Highway, Ste. 104
Farmington Hills, Michigan 48334
(via e-mail and first class mail)

Genesee County Circuit Court
900 S. Saginaw Street
Flint, Michigan 48502
(via first class mail)

I declare under penalty of perjury that the above statement is true to the best of my knowledge, information and belief.

Respectfully submitted,

PATRICK, JOHNSON & MOTT, P.C.

s/Cary R. Berlin
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